ROSEVILLE ZONING BOARD OF APPEALS

CIVIC CENTER COUNCIL CHAMBERS
29777 GRATIOT AVENUE
ROSEVILLE, MI 48066

TUESDAY, JULY 6, 2010
7:00 p.m.

ROLL CALL:

PRESENT:	Mayor	John Chirkun
	Mayor Pro Tem	Robert Taylor
	Board Members	Jan Haggerty
		Frank Maisano
		Colleen McCartney
		Bill Shoemaker
ABSENT:		Salvatore Aiuto

OTHERS PRESENT:

City Manager	Stephen Truman
City Attorney	Tim Tomlinson
City Clerk	Richard M. Steenland
Building Director	Glenn Sexton

Mayor John Chirkun called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER JAN HAGGERTY seconded to excuse Board Member Salvatore Aiuto.
MOTION CARRIED UNANIMOUSLY

I. NEW BUSINESS

1. Public Hearing and Board consideration for variance to erect an addition 121' from the center line of Gratiot Avenue to match the existing showroom on the property at 25800 Gratiot, Mike Riehl's Chrysler Jeep, Tony Fahoome and Tom Fahoome, petitioners.

   Tony Fahoome, 38851 Hampton Court, Harrison Township, appeared on behalf of this request and answered the Board Members questions.

   City Clerk Richard Steenland received no correspondence.

   No one from the public wished to be heard.

BOARD MEMBER COLLEEN MCCARTNEY moved, BOARD MEMBER JAN HAGGERTY seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER FRANK MAISANO seconded to approve the petitioner's request for a variance based upon the findings that an undue hardship exists; being a unique circumstance exists; being that the new addition will match the setback of the existing building which was previously approved by the Roseville Zoning Board of Appeals in 1993.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO ERECT AN ADDITION 121' FROM THE CENTERLINE OF GRATIOT AVENUE TO MATCH THE EXISTING SHOWROOM ON THE PROPERTY AT THE 25800 GRATIOT, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-20-305-009 VAR. #2210

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 1801 (h) and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and therefore, is hereby granted.
MOTION CARRIED UNANIMOUSLY

2. Public Hearing and Board consideration for variance to install outdoor seating on the property at 25280 Gratiot, Grady's Lounge, Delores Lindroth, petitioner.

Delores Lindroth, 25875 Pattow, appeared on behalf of this request and answered the Board Members questions.

City Clerk Richard Steenland received no correspondence.

Terry Mileski, 30706 Moroso, Warren, is the owner of Leslie Trailer Park that is located adjacent to Grady's Lounge. Mr. Mileski is opposed to this request.

J. Brown, 22114 Telegraph, Southfield, is representing K of C that is located directly next door to Grady's Lounge. Mr. Brown had some concerns on the available parking.

Arthur Lindroth, 25184 Waldorf, spoke on behalf of Delores Lindroth. Mr. Lindroth answered Mr. Brown's questions regarding the available parking. Mr. Lindroth also explained, that the outdoor seating is only going to be used for a smoking area. He explained since the smoking ban came into effect that Grady's Lounge has lost 50% of their business. By putting in outdoor seating, they are hoping to regain some business back.

City Attorney Tim Tomlinson, explained to Mr. Lindroth that the City of Roseville is only approving the outdoor seating area and has nothing to do with the Liquor Control or Heath Department requirements.

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER ROBERT TAYLOR seconded to close the Public Hearing.
MOTION CARRIED UNANIMOUSLY

BOARD MEMBER BILL SHOEMAKER moved, BOARD MEMBER JAN HAGGERTY seconded to approve the petitioner's request for a variance based upon the findings that an undue hardship exists; being a unique circumstance exists; being the adjacent properties are zoned for business and industrial use. The following stipulations will apply.

1. No music or entertainment after 10 p.m.
2. Grady's Lounge will have to restripe their parking lot.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO INSTALL OUTDOOR SEATING ON THE PROPERTY AT 25280 GRATIOT, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-20-352-060 VAR. #2310

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 1203-2 and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and therefore, is hereby granted.

MOTION CARRIED UNANIMOUSLY

3. Public Hearing and Board consideration for variance to have 63 parking spaces for the new Social Security building on the property at 15250 E. 12 Mile Road, WSSA Roseville, LLC, John Pavone, petitioner.

John Pavone, 140 East Second Street, Flint, appeared on behalf of this request and answered the Board Members questions.

City Clerk Richard Steenland received no correspondence.

Dennis Brinker, 36801 Woodward, Birmingham, is the owner of Kavan's restaurant. Mr. Brinker is in favor of this request.

Mike Clover, 16279 12 Mile Rd, spoke in favor of this request.

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER ROBERT TAYLOR seconded to close the Public Hearing.

MOTION CARRIED UNANIMOUSLY

BOARD MEMBER JAN HAGGERTY moved, BOARD MEMBER ROBERT TAYLOR seconded to approve the petitioner's request to provide 63 parking spaces for the new Social Security building at 15250 E 12 Mile. Being a unique circumstance exist; being the requirement by the U.S. Department of Homeland Security to have a 20' open space between parking areas and Federal buildings reduces the area available for the parking on the site.

IT IS RESOLVED THAT, pursuant to the application and testimony of the petitioner, and the Zoning Board of Appeals having taken into consideration the nature of the land in question, buildings and other structures located thereon and adjacent thereto, the character of the neighborhood and its general physical development, together with the applicable zoning, and having given consideration to the health, safety and welfare of the area in question, and having considered all of the pertinent factors, it is the finding of this Zoning Board of Appeals that granting the following variance:

PERMISSION TO HAVE 63 PARKING SPACES FOR THE NEW SOCIAL SECURITY BUILDING ON THE PROPERTY AT 15250 E 12 MILE ROAD, ROSEVILLE, MICHIGAN 48066.

PERMANENT PARCEL NO. 14-18-101-040 VAR. #2410

will be in harmony with the general purpose and intent of Zoning Ordinance No. 1202 Section 2001 and will not be injurious to the neighborhood or otherwise detrimental to the public welfare and therefore, is hereby granted.

MOTION CARRIED UNANIMOUSLY

4. Request to waive variance fee for privacy fence on property at 32631 Haggerty, Sylvia Ptak, petitioner.

City Manager Stephen Truman, explained that Ms. Ptak has installed a privacy fence and is required to get her neighbor to sign a waiver or go to the Zoning Board of Appeals for a variance. Ms. Ptak is asking to waive the variance fee. Mr. Truman stated that if the fee is waived she will be on July 20, 2010 agenda to state her case.

Board Member John Chirkun, explained to the Board Members that Ms. Ptak has applied for a tax hardship thru the City of Roseville , that is why she is asking the Zoning Board of Appeals to waive the the variance fee. Mr. Chirkun indicated that he spoke with Ms. Ptak but she was unable to attend tonight's meeting because of health issues.

BOARD MEMBER FRANK MAISANO moved, BOARD MEMBER JAN HAGGERTY seconded to approve the waiver of the variance fee.

II. HEARING OF THE PUBLIC

No one from the public wished to be heard

III. ADJOURNMENT

BOARD MEMBER ROBERT TAYLOR moved, BOARD MEMBER FRANK MAISANO seconded that the agenda having been acted upon, the meeting is hereby adjourned at 7:49 p.m.
MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Richard M. Steenland, City Clerk